

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

JUAN G. EVORA

v.

C.A. No. 06 - 094 S

ASHBEL T. WALL

Report and Recommendation

Jacob Hagopian, Senior United States Magistrate Judge

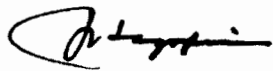
Juan G. Evora ("plaintiff"), *pro se*, an inmate lawfully confined at the Rhode Island Department of Corrections, filed a Complaint pursuant to 42 U.S.C. § 1983 and named as defendants officials or employees at the Department of Corrections. Currently before the Court is the motion of the plaintiff for preliminary injunctive relief filed on May 10, 2005 (Dckt # 22) pursuant to Fed.R.Civ.P. 65.¹ Plaintiff, however, filed the identical motion twice before on March 22, 2006, and April 26, 2006. On May 9, 2006, I issued a Report and Recommendation("R&R") on these two previously filed motions, and recommended that they be denied. See Dckt # 19. The District Court accepted my recommendations. See Dckt # 29.

Accordingly, for the reasons stated in the R&R of May 9, 2006, and since the District Court has already denied the previously

¹ This matter has been referred to me pursuant to 28 U.S.C. § 636(b)(1)(B) for a report and recommendation.

filed motions, I recommend that the instant motion be denied.²

Any objection to this report and recommendation must be specific and must be filed with the Clerk of Court within ten days of its receipt. Fed.R.Civ.P. 72(b). Failure to file timely, specific objection to this report constitutes waiver of both the right to review by the district court and the right to appeal the district court's decision. United States v. Valencia-Copete, 792 F.2d 4 (1st Cir. 1986) (per curiam); Park Motor Mart, Inc. v. Ford Motor Co., 616 F.2d 603 (1st Cir. 1980).



Jacob Hagopian
Senior United States Magistrate Judge
June 20, 2006

² I have determined that a hearing is not necessary. See Campbell Soup Co., v. Giles, 47 F.3d 467, 469 (1st Cir. 1995) (An evidentiary hearing is not an indispensable requirement when a court allows or refuses injunctive relief under Fed.R.Civ.P. 65).